

REMARKS/ARGUMENTS

Claims 1-8 remain in this application.

Record of Interview

On January 18, 2006, the undersigned Agent met with the Examiner to discuss the present application. Applicant agreed to further clarify the structure formation or definition of the recited "composite." Applicant also agreed to further clarify the recited "prepolymer composition" with regard to the uncureable and the polymerizable ingredients of the prepolymer composition. It was agreed that the arguments with regard to the prior art would be reserved for the written response.

Amendments: Lack of New Matter

Applicant submits that the forgoing claim amendments do not introduce new matter into the present application. The definition of "composite" that is recited in currently amended claim 1 is based on the present specification, p. 1, lines 9-10. Also in currently amended claim 1, Applicants submit that the phrase "wherein said method comprises" does not change the meaning of claim 1 but only emphasizes the fact that the claimed method comprises steps a), b), and c). Similarly, in currently amended claims 1 and 5, Applicants submit that the phrase "wherein said prepolymer composition comprises" does not change the meaning of the claim but only emphasizes the fact that the recited prepolymer composition comprises ingredients (i) and (ii).

In currently amended claim 8, the elimination of the extra occurrence of "wherein" simply corrects an obvious typographical error.

Clarity of Claims

Applicants respectfully submit that currently amended claims 1 and 5 are clear. In both of currently amended claims 1 and 5, Applicants submit that items (i) and (ii) are clearly recited to be ingredients of the "prepolymer composition." In currently amended claim 1, Applicants submit that "composite" is clearly recited to mean a structure that

includes two or more substrates that are bonded together with a bonding composition. Also in currently amended claim 1, Applicants submit that items (a), (b), and (c) are clearly recited to be steps of the method of preparing the recited cured bonded composite.

Response to rejection of claims 1-8 over US'680 in view of US'690

In the above-identified Office Action the Examiner rejected claims 1-8 under 35 USC §103(a) as being obvious over USP 5,601,680 ("US'680") in view of USPub 20010025690 ("US'690"). The Examiner stated that US'680 anticipates the present claims except for the use of radiation treatment.

Applicants respectfully disagree. In addition to the failure of US'680 to disclose radiation treatment, Applicants submit that, as set forth in detail herein below, US'680 also fails to teach or suggest a prepolymer composition that comprises at least one uncurable polyester resin in addition to at least one polymerizable compound.

US'680 teaches several embodiments in which a curable composition is used. For example, US'680 describes a "cross-linked thermosetting polymeric backing layer," which may include any of a wide variety of polymer compositions including "polyester" (col. 2, lines 54-55). US'680 teaches as follows:

Preferably, this cross-linked thermosetting backing, prior to curing includes a rigid unsaturated polyester resin, flexible unsaturated polyester resin, a curing promoter, a peroxide cross-linking promoter and a filler . . . (col. 2, lines 57-61).

US'680 teaches, in some embodiments of their invention, the use of "a silane based coupler which is made from a silane based primer and a methylmethacrylate and solvent blend" (col. 3, lines 18-20). US'680 further teaches, in other embodiments of their invention, the inclusion of styrene in the thermosetting polymeric backing layer (col. 3, lines 33-35).

In all of the "thermosetting" compositions disclosed by US'680, any polymeric materials mentioned by US'680 are each individually curable. The only polyesters that are mentioned in US'680 are rigid unsaturated polyester and flexible unsaturated

polyester; each of these is "unsaturated" and thus has a double bond that will be reactive in a curing reaction. In sum, Applicants submit that US'680 fails to teach or suggest the use of a polyester resin that is itself uncurable in a prepolymer composition that also includes at least one polymerizable compound.

In contrast, present independent claims 1 and 5 recite prepolymer compositions that contain at least one uncurable polyester resin, in addition to at least one polymerizable compound. Applicants submit that such a combination of uncurable and polymerizable materials is not taught or suggested by US'680.

Applicants further submit that the other reference cited by the Examiner, US'690 (cited for its teachings regarding the use of radiation to effect cure), does not teach or suggest the use of uncurable polyester resin as part of a prepolymer composition that also contains polymerizable compound.

Therefore, because US'680 in view of US'690 fails to teach or suggest at least one feature of the present invention, Applicants submit that the present claims are not obvious over US'680 in view of US'690.

Conclusion

In view of the foregoing amendments and arguments, Applicants respectfully request the Examiner to reexamine the claimed subject matter, to withdraw the rejections of the claimed subject matter, and to allow claims 1-8 at this time. If, however, there remain any open issues which the Examiner believes can be resolved by a telephone call, the Examiner is cordially invited to contact the undersigned agent.

No fees are believed to be due in connection with the submission of this amendment; however, if any such fees, including petition or extension fees, are due, the Commissioner is hereby authorized to charge them, as well as to credit any overpayments, to Deposit Account No. 18-1850.

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Respectfully Submitted,

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